

The Role of the Office of Religious Affairs in Raising Awareness of Converts in Providing Waqf: Case Study in North Morowali Regency

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ABSTRACT

This article discusses the role of the Office of Religious Affairs in increasing awareness of converts to giving religious endowment (waqf). In the Islamic tradition, giving waqf is a form of worship oriented toward society's welfare. However, waqf collection is still constrained by minimal socialization among people who are considered capable. As an institution that has direct contact with the Muslim community, the Office of Religious Affairs has the task of socializing the payment of waqf, including to converts. This research takes a case study in Bahontula Village, North Morowali Regency, where most of the converts in this area come from the upper-middle class. This research is a qualitative study with primary and secondary data collected through observation, interviews, and documentation. The available data were analyzed by data reduction, presentation, and interpretation methods. The results of this study indicate that the local Religious Affairs Office has directly disseminated waqf to converts. Nevertheless, these efforts have not been optimal due to inconsistent allocation of time for the socialization of *waqf*.

ARTICLE INFORMATION

Keywords:

The Office of Religious Affairs, converts, religious endowment, *waqf*

1. Introduction

Islamic donations in the *waqf* category are one of the institutions that Muslims trust to have vertical and horizontal aspects. In addition to being intended for a religious, pious purpose, *waqf* is paid and distributed to achieve a social goal. Many mosques, educational institutions, and other religious institutions are built on *waqf* assets. The *waqf* is seen as a prominent supporter of the development of the followers of Islam since its inception.¹

Along with the times, the method of utilizing assets derived from *waqf* for social purposes is considered necessary to be developed. Scholars in this field see an opportunity to change the function of *waqf*, which has been consumptive to productive with an adequate management system.²

In Islamic norms, the practice of giving *waqf* is based on the messages contained in the Qur'an and the sunnah of the Prophet Muhammad. In Surah al-Baqarah verse 267, for example, God recommends that Muslims make donations from their share of income with the stipulation that the donation is feasible and has use value.³

"O believers! Donate from the best of what you have earned and of what We

have produced for you from the earth. Do not pick out worthless things for donation, which you yourselves would only accept with closed eyes. And know that Allah is Self-Sufficient, Praiseworthy."

Al-Bukhari also narrates the experience of Ibn 'Umar consulting a piece of land he acquired at Khaybar. Prophet Muhammad pubh. then advised him to keep the principal and donate the result. The land cannot be sold, but the community can use the proceeds for various purposes, such as aiding the poor, releasing enslaved people, or protecting guests. Likewise, those who manage Ibn 'Umar's contribution are blessed to take the results as long as it is done in a good way and without the intention of enriching themselves.⁴

The two quotations from the Qur'an and the hadith above show the importance of *waqf* contributions to Islamic norms. In fact, according to the hadith that contains a dialogue between Ibn 'Umar and the Prophet pubh. hints at recommendations on productive *waqf* management. As a follow-up to the increasing trend of community *waqf* and to ensure its management, the Indonesian government has formulated Law Number 41 of 2004 concerning Waqf. Two years later, the Indonesian government also issued a regulation in the format of Government Regulation Number 42 of 2006 concerning the implementation of the Act. This final

¹ Direktorat Jendral Bimbingan Masyarakat Islam dan Penyelenggaraan Haji Direktorat Pengembangan Zakat dan Wakaf, *Fiqhi Wakaf* (Jakarta: Dirjen Bimas dan Penyelenggaraan Haji Kementerian Agama RI, 2005), 14.

² Elis Kartika Sari, *Pengantar Wakaf Dan Zakat* (Jakarta: Grasindo, 2004), 4.

³ Ibid.

⁴ Haidar Barong, *Umar Bin Khattab Dalam Perbincangan* (Jakarta: Yayasan Cipta Persada Indonesia, 2000), 294.

regulation provides definitions that limit the meaning of *waqf*, assets that can be used for *waqf* payments, such as management by an independent institution, the Indonesian Waqf Board (BWI).⁵

Muslims believe that *waqf* is generally accepted, by all Muslims, without exception. However, information regarding recommendations, procedures, and distribution of *waqf* has not yet become public knowledge for the Muslim community. As a country with the largest Muslim population in the world, the socialization of *waqf* in Indonesia is carried out by the Office of the Ministry of Religion as the government representative as well as the official party in charge of religious instructors who are in direct contact with the social problems of Muslims.⁶

Based on data released by the agency that deals with converts, the Indonesian Mualaf Center, the number of people converting to Islam continues to increase yearly. For example, until 2016, the number of people who converted to Islam increased by 5-6 percent from the previous year, or 2,491 people. The converts do not always come from a low-middle economic background. The economically middle to upper-class converts can be part of providing *waqf* that can be utilized by other converts or for the benefit of society in general. However, considering that they are a new social group with minimal religious knowledge, recommendations about *waqf*

must be adequately conveyed to involve converts.

This article discusses the role of the Office of Religious Affairs as an extension of the state and Muslims in socializing and increasing awareness of converts to become part of the *waqf* movement. The converts in Petasia Sub-district, especially in Bahontula Village, generally come from upper-middle-class economic communities. This community can be actively involved as part of the *waqf* movement if the norms regarding the recommended teachings are appropriately conveyed.

2. Literature Review

2.1. The basis of *waqf* practice in Islamic law

Arabic Islamic texts use the word *waqf* (plural: *awqaf*) as a synonym for *hubs* (plural: *ahbas*) which means something that is dismissed or detained in essence but the results are used in the way of God. In Islamic law, *waqf* is defined as an object that can be taken advantage of by stopping the right to act from the perpetrator or others on the object and distributing the results to people entitled to social interests and goodness.⁷

As a country with the largest Muslim population in the world, the Indonesian government also provides definitions and limitations on what is called *waqf*. For example, the government regulation of the Republic of Indonesia Number 28 of 1997 defines *waqf* as a legal action carried out by a person or a legal entity that separates part of his assets in the form of owned land and

⁵ Harun Nasution Dkk, *Ensiklopedi Islam Indonesia* (Jakarta: Djambatan, 1992), 130.

⁶ Achmad Roestandi, *Ensiklopedi Dasar Islam* (Jakarta: PT. Pradaya Paramita, 1993), 173.

⁷ Muhammad Daud Ali, *Sistem Ekonomi Islam Zakat Dan Wakaf* (Jakarta: UI Press, 1998), 94.

institutionalizes worship or other public interests in accordance with Islamic teachings. Likewise, Law Number 41 of 2004 defines *waqf* as a legal action from the giver (*waqif*) to separate or surrender part of his wealth so that it is used for a certain period or forever for the benefit of worship or public welfare under sharia rules.⁸

In addition to these two articles, other regulations in Indonesia relating to *waqf* are contained in the Basic Agrarian Law No. 5 of 1960, Government Regulation No. 28 of 1977 concerning Land Waqf, Compilation of Islamic Law (HKI), and Presidential Instruction No. 1991.⁹

The definition of *waqf* set by the Indonesian government through these two regulations seems to refer to the opinion of Islamic jurists. Imam al-Nawawi, for example, defines *waqf* as an attitude of withholding property that can be taken advantage of but not for himself. Even though the object is with the owner, if he donates his wealth as *waqf*, then the property can be used for positive social purposes or motivations of piety to God.¹⁰

The Qur'anic verses do not use the word *waqf* explicitly. However, scholars in the fields of Quranic interpretation and Islamic law conclude that the recommendation of *waqf* is based on verses that encourage piety and

generosity towards fellow human beings. Two verses are considered arguments for the recommendation of *waqf* to use the word *nafaqah*. The second hundred and sixty-first verse of al-Baqarah shows:

"The example of those who spend their wealth in the cause of Allah is that of a grain that sprouts into seven ears, each bearing one hundred grains. And Allah multiplies the reward even more' to whoever He wills. For Allah is All-Bountiful, All-Knowing."

Likewise, what is stated in the same surah in the second verse of the sixty-seventh:

"O believers! Donate from the best of what you have earned and of what We have produced for you from the earth. Do not pick out worthless things for donation, which you yourselves would only accept with closed eyes. And know that Allah is Self-Sufficient, Praiseworthy."

In contrast to the Qur'an, the text of the hadith, considered by Muslim scholars as proof of the recommendation to give charity in the sense of *waqf* uses the word *shadaqah*. One of these propositions is a very popular hadith narrated by Muslims.

"(The value of) an action depends on the intention behind it. A man will be rewarded only for what he intended. The emigration of one who emigrates for the sake of Allah and His Messenger is for the sake of Allah and His Messenger; and the emigration of one who emigrates for gaining a worldly advantage or for marrying a

⁸ Tholhah Hasan, *Perkembangan Kebijakan Wakaf Di Indonesia* (Jakarta: Republika, 2008), 45.

⁹ Ibid.

¹⁰ Abdurahman, *Masalah Perwakafan Tanah Milik Dan Kedudukan Tanah Milik Dan Kedudukan Tanah Wakaf Di Negara Kita* (Bandung: Alumni, 1990), 8.

woman is for what he has emigrated."¹¹

Regulations that accommodate the legality of the *waqf* process in Indonesia are regulated in Law No. 41 of 2004. This rule states that *waqf* that is declared valid by the state meets the four pillars and conditions for the implementation of *waqf*—first, those who donate (*waqif*). The regulation defines *waqif* as a person or persons or legal objects who endow their property. Based on this definition, *waqif* can be in the form of individuals, organizations, or specific legal entities. If the *waqif* is an individual, he must have met the criteria of being an adult, of sound mind, not currently in prison, and is the rightful owner of the object he wants to donate. The *waqf* on behalf of an organization or legal institution has similar requirements: the *waqf* property as proof of ownership, and its delivery does not violate the articles of association of the organization or legal institution.¹²

Second, the *waqf* property is all types of objects, both movable and immovable, which have durability and economic value. Law No. 41 of 2004 and the Compilation of Islamic Law regulates the definition of movable and immovable property. Immovable property includes, among others, land, buildings standing on land, plants, and property rights to flat units under applicable local regulations. Meanwhile, movable objects are money, precious metals, securities,

vehicles, intellectual property rights, rental rights, and the like.¹³

The third is the *waqf* pledge, which is spoken orally or written by the *waqf* giver in front of the manager (*nadzir*). In the presence of two witnesses, this pledge statement was witnessed and recorded by the Official Making the Waqf Pledge Deed (PAIW). In the case that the *waqif* cannot attend, his presence can be represented to the party to whom he has given the right of representation, as evidenced by the letter of authorization of the *waqf*.¹⁴

Fourth, *waqf* property can be allocated for the construction or repair of houses of worship, education and health facilities, assistance to the poor, neglected children, or scholarship assistance. In addition to these types of social assistance, *waqf* assets can also be used to improve the people's economy and advance other general welfare as long as they do not conflict with sharia and government regulations.¹⁵

Islamic jurists do not include the manager (*nadzir*) in the conditions of *waqf*. However, the manager's role is considered significant in ensuring the value of the benefits and sustainability of the *waqf* objects to the recipients. The basis of the opinion of experts does not include *nadzir* in the conditions of *waqf*, because this type of worship is personal. However, given the importance of

¹¹ Suhrawardi K Lubis, *Wakaf Dan Pemberdayaan Umat* (Jakarta: Sinar Grafika, 2010), 9.

¹² Rozalinda, *Manajemen Wakaf Produktif* (Jakarta: Rajawali Press, 2015), 20.

¹³ Ibid.; Uswatun Hasanah, "Strategi Pengelolaan Dan Pengembangan Tanah Wakaf," in *Penataran Peningkatan Kualitas Nadzir, Di Kanwil Propinsi DKI Jakarta* (Jakarta, n.d.), 15.

¹⁴ Rozalinda, *Manajemen Wakaf Produktif*, 21.

¹⁵ Ibid, 22-23.

preserving the *waqf* property, the manager's role is still needed.¹⁶

The argument on the significance of management can be seen in the case of the companion of the Prophet *pubh*, 'Umar ibn al-Khaththab, who donated his land for the benefit of the community. When he was alive, he himself managed the treasure. When he died, the management of the social assets was handed over to his daughter, Hafshah. Another son, 'Abd Allah ibn 'Umar, participated in managing the *waqf* property left by their father. This pattern continues to be passed down to generations of descendants of 'Umar.¹⁷

Islamic scholars argue that *waqf* property managers can come from individuals or institutions. However, individuals appointed as managers must have competence and creativity in managing *waqf* assets. Specifically in the Indonesian context, the Compilation of Islamic Law regulates several additional requirements, such as Indonesian citizenship and domicile in a location adjacent to the property being *waqf*, Muslim, mature, physically and psychologically healthful, and not related to specific legal issues. The appointed managers must also fulfill administrative requirements by registering their capacity with the Minister of Religion and the Indonesian Waqf Board through the local Office of Religious Affairs.¹⁸

Broader conditions apply if the *waqf* property manager comes from an institution, either an organization or an institution, in addition to being required to meet the requirements of individual managers, institutions that act as *waqf* managers are also required to fulfill the requirements of institutional administrative obligations in Indonesia and have administrators living in the same area as the *waqf* property.¹⁹

2.2. *Types and purposes of waqf*

Indonesian Government Regulation No. 28 of 1997 only regulates *waqf* allocated for social purposes. Meanwhile, scholars in the field of Islamic law divide into two types of *waqf*. First, *waqf* was given to the family (*waqf dzurri*). For example, a person donates his books to one of his children for use. These books, in turn, can be passed on to generations in his family genealogy. This type of *waqf* is permissible based on the narration of al-Bukhari, from Anas ibn Malik, who narrated the *waqf* of Abu Talhah's family to his family.²⁰

Although allowed, the legal status of *waqf* for families does not get legality in several Muslim countries, such as Egypt, Turkey, Morocco, and Algeria. The revocation of the legality of *waqf* for family members is enforced on the consideration of the minimal value of social benefits. Regarding this consideration, Ahmad Azhar Basyir considers that the existence of *waqf* for

¹⁶ Jaih Mubarak, *Wakaf Produktif* (Bandung: Simbosia Rekatama Media, 2008), 15.

¹⁷ Barong, Umar Bin Khattab Dalam *Perbincangan*, 294.

¹⁸ Muhammad Syafi'i Antonio, *Pengelolaan Wakaf Secara Produktif* (Depok: Mumtaz Publishing, 2017), 4-5.

¹⁹ Ahmad Azhar Basyir, *Wakaf Izarah Dan Sirkah* (Bandung: PT Al-Maarif, 1997), 5.

²⁰ Munzhir Qahaf, *Manajemen Wakaf Produksi* (Jakarta: Khalifa, 2004), 159-160.

families should be reviewed or abolished.²¹

Second, *waqf* property has been allocated for social purposes from the start. The scholars view this *waqf* as more prominent than the *waqf* allocated to the family. Apart from the benefits the wider community can receive, social *waqf* is under the precedent exemplified by 'Umar ibn al-Khaththab, who donated his plantation assets to be used by the poor and freed slaves in the early period of Islam.

Waqf assets allocated for the benefit of the wider community can be distributed into several social fields. The Government of Indonesia regulates the distribution sectors through Article 216 of the Compilation of Islamic Law. These fields are

1. Donations to general education foundations, professional groups, Islamic foundations, and public libraries;
2. Grants to students who are currently studying at home or abroad;
3. Grant to Islamic scientific research foundations;
4. Assistance for orphans, widows, and people who cannot afford it;
5. Assistance for parents and institutions that serve these social groups;
6. Assistance for the poor and low-income families;
7. Assistance for public service infrastructures, such as providing

clean water, electricity, health, and the like.²²

2.3. People who convert to Islam

From an Islamic perspective, people who convert to Islam are individuals whose hearts are softened to accept God's guidance. Therefore, they are called *muallaf* or people whose hearts are submissive to faith. According to Sayyid Sabiq, converts are individuals or groups of people who need to be considered and embraced to strengthen their belief in Islamic teachings and faith. The converts' knowledge of the commands and prohibitions in Islam is insufficient, making them need attention and assistance.²³

In Islamic doctrine, the treatment of converts is based on the information in the sixtieth verse of the Qur'an, surah al-Tawbah:

"Alms-tax is only for the poor and the needy, for those employed to administer it, for those whose hearts are attracted to the faith', for freeing' slaves, for those in debt, for Allah's cause, and for needy' travelers. This is' an obligation from Allah. And Allah is All-Knowing, All-Wise."

Based on the verse, at the time of the Prophet's pubh., converts were included in the category of *zakah* recipients to make their faith in the teachings of Islam more formed and stronger. Likewise, in the next era, during the Caliphate of Abu Bakr al-Siddiq, the converts continued to be assisted by the *zakah* of Muslims who had

²¹ Basyir, *Wakaf Izarah Dan Sirkah*.

²² Uswatun Hasanah, "Peran Wakaf Dalam Mewujudkan Kesejahteraan Sosial Studi Kasus Pengeloan Wakaf Di Jakarta Selatan" (IAIN Syarif Hidayatullah Jakarta, 1997), 127.

²³ Sayyid Sabiq, *Fiqhi Sunnah* (Bandung: Al-Ma'arif, 1996), 96.

already embraced Islam.²⁴ However, during the caliphate of 'Umar ibn al-Khattab, the rights of converts to property collected through *zakah* were reviewed. 'Umar shows that the command in verse of surah al-Tawbah is contextual. When converts are considered to have strong faith in the Shari'a and have the financial capacity, their right to *zakah* can be evaluated and revoked. On the other hand, their status has shifted as those obliged to pay the *zakah*. Based on the example from 'Umar, the *waqf* allocated to converts can be reviewed. At the same time, they can be used as subjects who also allocate *waqf* for the social interests of the surrounding community.²⁵

3. Methodology

This article uses a qualitative approach. Lexy J. Moleong describes a qualitative approach as an effort to understand the phenomena experienced by research subjects, such as behavior, perception, motivation, and action. The understanding is described in words and language and placed in a particular

context using various scientific methods.²⁶

Most converts in Bahontula Village, North Morowali Regency, come from the middle to upper economic class community. Therefore, in the concept of generosity in Islam, they are more appropriate to be placed as *waqf* subjects. This reality is a significant point to make converts in the village as a topic to understand how the role of the religious apparatus in the local Religious Affairs Office provides an understanding of the significance of *waqf* for Muslims.²⁷

The data of this study consisted of primary and secondary data collected by researchers through observation methods in Bahontula Village, documentation, and interviews with informants from Islamic religious officers at the local Religious Affairs Office. The data that has been collected was analyzed by the triangulation method.²⁸

4. Result and Discussion

4.1 Office of Religious Affairs in Petasia District and the converts

The Office of Religious Affairs in Petasia District is one of six similar offices in the North Morowali District. Most of the residents in the sub-district

²⁴ Muhammad Iqbal, Rusli Rusli, and Musyahidah Musyahidah, "Management Strategies of Professional Zakat Funds for Mustahiq Family Welfare By Amil Zakat Body," *INTERNATIONAL JOURNAL OF CONTEMPORARY ISLAMIC LAW AND SOCIETY* 1, no. 1 (November 5, 2019): 39-51, <https://ijcils.org/index.php/ijcils/article/view/4>.

²⁵ Antonio, *Pengelolaan Wakaf Secara Produktif*, 53.

²⁶ Lexy J Moleong, *Metode Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 1990), 165.

²⁷ Heru Susanto, "Sejarah Perkembangan Perundang-Undangan Wakaf Di Indonesia," *Bilancia: Jurnal Studi Ilmu Syariah dan Hukum* 10, no. 2 (December 1, 2016): 59-90, <https://jurnal.uindatokarama.ac.id/index.php/blica/article/view/290>.

²⁸ Burhan Bungin, *Metodologi Penelitian Sosial & Ekonomi* (Jakarta: Kencana, 2013), 133.

are Muslim, with their source of income coming from farming, fishing, and trading activities. Based on internal records, the office was established in 1960 when this area was still part of the administrative area of Poso Regency.

Since the Government of Indonesia inaugurated North Morowali Regency as a separate district in 2013, the Office of Religious Affairs has overlooked the interests of Muslims in the Petasia, West Petasia, and East Petasia sub-districts. As a consequence, the vision of the office is to realize the three sub-districts in their working area as religious, tolerant, intelligent, and prosperous areas. The office seeks to realize this vision through six assisted areas, one of which is the improvement of *zakah*, *waqf*, and social worship services.

4.2 The role of the Office of Religious Affairs in the understanding of converts to waqf

The population in Bahontula Village, based on their religion, the majority are Christians. More than half of the total population of 4,945 people are Christians. Meanwhile, there are 1,935 Muslims, 430 of whom are converts. From data obtained from the local Office of Religious Affairs, more than thirty percent of the converts came from the middle to upper economic class. This reality made the religious apparatus in the office consider that the recommendation to give charity in Islam through the *waqf* mechanism needs to be socialized to converts.

The socialization of *waqf* to converts was not delivered directly. However, according to Iham, Head of the Office of Religious Affairs in Petasia

Subdistrict, the officers at his institution first provided the converts with the fundamental regulations in sharia.

"As a religious institution obliged to guide converts, we formed an organization led and filled by them to schedule a religious meeting once a month. At that meeting, our officers assisted how in reading the Qur'an, purifying before performing worship, the procedure for praying five times a day, fasting in the month of Ramadan, and paying zakat."

After confirming the converts' understanding of the basics of Islam, officials at the Office of Religious Affairs introduced the recommendation to donate property in the context of *waqf* to converts.

"Based on the data formulation of converts that we compiled, we found many converts in Bahontula Village who came from communities with good economic conditions. We approached and invited them to actively participate in setting aside their wealth for the benefit of the wider community and also for Muslims through the *waqf*. On this occasion, we not only introduced the dimension of personal worship, between the servant and his Lord, in the practice of *waqf*, but also emphasized the significance of social piety and its broad impact on the local community."

The emphasis on the type of social *waqf*, according to Iham, is more appropriate to introduce to converts so that the existence of the assets they donate can be appropriately managed in the long term and have a broad impact. Likewise, with the types of goods that

can be donated. The invitation to *waqf* to converts is not limited to certain types of property but includes all types of property that can be donated through *waqf*. However, *waqf* in the form of land and money are the two types of property most often given by local converts.

In his explanation, religious officials often juxtapose *waqf* with alms which will continue to have a reward with God even though the *waqif* has died. According to Ilham, one of the proofs of the enthusiasm of converts in giving alms is the plot of land they donate. Currently, the land has been built a mosque. The name of the mosque is al-Mu'allaf. The name was deliberately chosen to show the converts' commitment to providing *waqf* and motivate other groups to do the same.

Although the teaching on the virtues of *waqf* conducted by the Office of Religious Affairs has shown an impact on the wishes of the converts in Bahontula Village, several obstacles still need attention from the religious apparatus. The head of the local converts organization, Satriawati, has an opinion regarding the socialization agenda. He did not deny the lack of interest among converts to attend the teaching of Islamic values by the Office of Religious Affairs officials. However, this phenomenon cannot be separated from the scheduling of meetings which are only held once a month.

5. Conclusions

The Office of Religious Affairs in Petasia District has carried out its duties as an institution assigned by the Ministry of Religion to interact directly with the social interests of Muslims,

including converts to Islam. Accordingly, the religious apparatus of the institution places converts as subjects of *waqf*, considering that many come from people with middle to upper incomes. In this context, the converts in Bahontula Village were first taught about the arguments for the recommendation of *waqf*, its priority on the side of Tughan, and invited to participate in donating their assets in the way of *waqf*.

Religious officials conveyed an invitation to *waqf* to converts with an indirect approach. This pattern is considered quite effective in involving converts in the *waqf* movement. Masjid al-Mua'allaf, which was built by funds and on *waqf* land, is evidence of the efforts of the Office of Religious Affairs to increase awareness of *waqf* for converts.

However, these achievements do not automatically mean that these efforts do not have obstacles. For example, in order to increase *waqf* originating from converts, officials from the Office of Religious Affairs need to schedule more frequent religious meetings in the context of strengthening Islamic teachings as well as an approach to increasing the involvement of converts in giving alms through *waqf*.

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